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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,526	10/21/2003	Massimo Aleardi	713-938	8630
22429	7590	12/02/2004	EXAMINER	
LOWE HAUPTMAN GILMAN AND BERNER, LLP			LEE, WILSON	
1700 DIAGONAL ROAD			ART UNIT	
SUITE 300 /310			PAPER NUMBER	
ALEXANDRIA, VA 22314			2821	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Allowability**

Application No.

10/689,526

Examiner

Wilson Lee

Applicant(s)

ALEARDI, MASSIMO

Art Unit

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/21/03.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ The drawings filed on 21 October 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



Wilson Lee  
Primary Examiner  
Art Unit 2821

**Examiner's amendment**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The claim is amended as follows:

In claim 6, line 5, "preferably elastic" is deleted.

The purpose of the correction is to correct the minor informality that renders uncertainty to the claimed invention in order to expedite the application onto allowance.

**Allowable subject matter**

Claims 1-7 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art neither discloses nor suggests the following limitation, in combination with the remaining elements as disclosed in claim 1:

- An enabling means for alternatively enabling and disabling spark generation the discharge generating circuit when connected to and, respectively, disconnected from a reference potential line and the electric gas lighting device comprising hand-operated switch means such as required by claim 1

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Alerardi (6,449,138) discloses a very similar invention but this patent has a common inventor with this application and its patent date is not more than a year than the filing date of this application. Bianchi (6,242,866) discloses an electric gas-lighter comprising an ignition circuit and a discharge device for generating sparks at burners but fails to disclose a hand-operated switch but fails to disclose an enabling means for alternatively enabling and disabling spark generation in the discharge generating circuit. Sato et al. (4,358,813) discloses an ignition apparatus for a burner comprising an ignition apparatus for a burner comprising a transformer for sparking a burner and a control transistor for thermistor but fails to disclose the enabling means being connected and respectively disconnected from a reference potential line. Goble et al. (4,143,303) discloses an ignition circuit for generating sparks at one burner, an enabling means for alternatively enabling and disabling spark generation in the discharge generating circuit but fails to disclose the enabling means being connected and respectively disconnected from a reference potential line.

### **Correspondence**

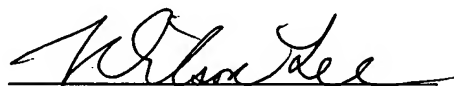
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824.

Papers related to Technology Center 2800 applications may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be

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considered an official response must be clearly marked "DRAFT". The official fax number is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Wilson Lee  
Primary Examiner  
U.S. Patent & Trademark Office

11/29/04